

Thursday, April 10, 2008

House Meets At...	Votes Predicted At...
10:00 a.m. For Legislative Business	Last Vote: 2:00-3:00 p.m.
Five "One-minutes" Per Side	

Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.

Floor Schedule and Procedure

- **H. Res. 1083-Rule providing for consideration of H.R. 2537 – Beach Protection Act of 2007 (Rep. Matsui-Rules):** Open rule with a preprinting requirement. Provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule makes in order only those amendments to the amendment in the nature of a substitute that are preprinted in the *Congressional Record* before beginning consideration of the bill or are pro forma amendments for the purpose of debate. The rule provides one motion to recommit with or without instructions. Debate on the rule will be managed by Rep. Matsui, and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to vote yes.**
 - Vote on adoption of the rule. **Democrats are urged to vote yes.**
- **H.R. 2537 – Beach Protection Act of 2007 (Rep. Pallone – Transportation and Infrastructure):** Pursuant to the rule, debate on the bill will be managed by Transportation and Infrastructure Chair Rep. James Oberstar, or his designee, and will proceed as follows:
 - One hour of debate on the bill.
 - Debate and votes on amendments to the bill.
 - Possible debate and vote on a Republican motion to recommit the bill.
 - Vote on passage of the bill.

- **H. Res. 1092 – Relating to the consideration of the bill (H.R. 5724) to implement the United States-Colombia Trade Promotion Agreement (Rep. Slaughter-Rules):** The rule provides that section 151(e)(1) and section 151(f)(1) of the Trade Act of 1974 shall not apply in the case of the bill (H.R. 5724) to implement the United States-Colombia Trade Promotion Agreement. Debate on the rule will be managed by Rules Committee Chair Rep. Louise Slaughter, and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to vote yes.**
 - Vote on adoption of the rule. **Democrats are urged to vote yes.**
- **Postponed Suspension Vote:** At some point today, the House will take a vote on the following Suspension bill, which was debated on Wednesday:
 - 1) **H.Res. 1038** - Recognizing the fifth anniversary of the Department of Homeland Security and honoring the Department's employees for their extraordinary efforts and contributions to protect and secure our Nation (Rep. Thompson (MS) – Homeland)

Bill Summary and Key Issues

H.R. 2537 - BEACH PROTECTION ACT OF 2007 *(Rep. Pallone – Transportation and Infrastructure)*

H.R. 2537, the Beach Protection Act of 2008, amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to reauthorize appropriations for the Beaches Environmental Assessment and Coastal Health (“BEACH”) Act through fiscal year 2012. As reported by the Committee on Transportation and Infrastructure, H.R. 2537 reauthorizes \$40 million in appropriations annually for the Environmental Protection Agency’s (“EPA”) BEACH program. The BEACH program provides grants to states along the coasts and Great Lakes for state and local recreational water monitoring and notification programs.

The Beach Protection Act increases the existing annual authorization by \$10 million to reflect an expansion of eligible uses for grants under this program. For example, H.R. 2537 allows states to utilize a portion of their BEACH grant funding to develop and implement coastal recreation waters pollution source identification and tracking programs, which will enable interested states to locate the likely sources of coastal water contamination.

H.R. 2537 also clarifies and enhances state and local authorities for notifying the public when the beach waters are likely contaminated and present a potential threat to human health. First, this legislation clarifies that the public must be notified with 24-hours of the results of contaminated water quality sample.

However, because many states utilize a system where two contaminated samples must be identified before a beach is closed, H.R. 2537 also requires that a physical sign must be posted at any beach where the results of a water quality sample demonstrate the *likelihood* that the water *may be contaminated*. This information is essential to ensure the public can avoid contact with potentially harmful pollutants while visiting their favorite beach.

The Beach Protection Act also enhances EPA's review of individual states' compliance with the requirements of the BEACH Act by requiring the Administrator to conduct an annual review of implementation of the BEACH Act by State and local governments, and to take corrective action for State and local governments that are not in compliance with the BEACH Act requirements. This legislation also requires the Government Accountability Office to review and report on EPA's administration of the BEACH Act.

Finally, H.R. 2537 requires EPA to carry out a study of the formula for the distribution of coastal recreation water quality monitoring and notification program development and implementation grants under the BEACH Act and to report to Congress on the results of the study, including any recommendations for revision of the existing formula.

The Chairwoman of the Transportation and Infrastructure Subcommittee on Water Resources and Environment, Eddie Bernice Johnson, will offer a manager's amendment to H.R. 2537 that will direct EPA to complete its ongoing evaluation and validation of a "rapid testing methodology" for detecting contamination of coastal recreation waters by October 1, 2010, and upon completion of the validation, to develop guidelines for their use at beaches most frequently utilized by the public. Rapid testing methodologies are intended to shorten the period between when coastal recreation water is sampled to when results are made publicly available, with the goal of having real-time, same-day information on the condition of the nation's beaches and recreational waters. Upon completion of EPA's validation of a rapid testing methodology, the period of time necessary for testing coastal waters is likely to shorten from 24 hours to between 2 and 3 hours.

H.RES. 1092 – RELATING TO THE CONSIDERATION OF THE BILL (H.R. 5724) TO IMPLEMENT THE UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT

Stop Fast Track Rule for Colombia Trade Pact:
*Time For Bipartisan Negotiations on Strengthening
The American Economy and for Better Deal for American Workers*

Today the House will take up a rule from the Rules Committee to suspend the requirement that the Colombia Free Trade Agreement be considered within 60 legislative days in the House – giving Congress the prerogative in scheduling a vote.

This flexibility is necessary to create time for there to be bipartisan negotiations on measures to strengthen the American economy and help American workers first. The worsening economic downturn, as evidenced by the jobless numbers

on Friday and the statements by Fed Chairman Bernanke and now as recently as yesterday, former Fed Chairman Greenspan, requires that the top priority for this Congress is to get our economy back on track. Through bipartisan negotiations and action on the American economy, we can create the conditions and opportunity for the Columbia Free Trade deal to pass.

This change is necessitated by the President's partisan actions. Instead of working with Congress on the economic concerns of the American people, on Tuesday, the President took the unprecedented step of sending up the Colombia Trade deal without following established protocols of Congressional consultation. His actions were political and counter-productive, jeopardizing prospects for its passage.

This rule would remove the fast-track timeline for the Colombia free-trade agreement -- simply returning to Congress the rightful constitutional role in scheduling consideration of measures. The Fast Track law (PL 107-210) expressly recognizes "the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House" and that is what we are doing.

The Fast Track law (PL 107-210) sets forth procedures that require both chambers to act on a trade pact within 90 legislative days after the implementing legislation is submitted, but it specifies that those procedures and timetable are rules of the chambers. Specifically, the measure suspends the requirements that the Ways and Means Committee act within 45 days, that the House vote within 15 days after that, and that there be a highly privileged motion to bring up the measure. Under the rules change, the House would consider the measure at a time of its choosing. This does not address Senate fast track procedures. This measure does not change the fact the agreement is unamendable in the House.

Quote of the Day

"A great democracy must be progressive or it will soon cease to be a great democracy" -Theodore Roosevelt